

**REMARKS**

The Office Action mailed February 10, 2005 has been carefully considered.

Reconsideration in view of the following remarks is respectfully requested.

The Applicants gratefully acknowledge the indication of allowance of claims 52-71.

Applicants are further grateful for the indication of allowability of claims 6-8, 12-13, 19-21, 25-26, 32-34, and 38-39, subject to their re-writing in independent form. Allowed claims 57-59, 60-61, 62-64, 65-66, 67-69, and 70-71 represent claims 6-8, 12-13, 19-21, 25-26, 32-34, and 38-39, respectively, written in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 14, 27, 63, 64, 66, 68, 69, and 71 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. The text of claims 2-13, 15-26, 28-62, 65, 67, and 70 are unchanged, but their meaning is changed because they depend from amended claims.

**Informal Objections**

Claims 62-66, 68-69, and 71 stand objected to for various informalities. Claims 63-64, 66, 68, 69, and 71 have been modified according to the Examiner's suggestions. Regarding claims 62 and 65, the Applicants respectfully suggest that the preamble clearly indicates that the elements of the claim refer to the method performed by the program of instructions embodied on the program storage device.

With this amendment it is respectfully submitted the claims satisfy the statutory requirements.

### The 35 U.S.C. § 102 Rejection

Claims 1-2, 14-15 and 27-28 were rejected under 35 U.S.C. § 102(a) as being allegedly anticipated by Jacobson et al.<sup>1</sup> This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.<sup>2</sup>

Jacobson does not teach "determining whether said subscriber is authorized to access said domain based upon said domain identifier and a list of authorized domains for a virtual circuit used to receive said communication".

Jacobson describes a system where host computers are assigned blocking modes (see col. 14, lines 41-45). These blocking modes may be overridden by a blocking override table (see col. 15, lines 16-20). The blocking override policies "override the network address and protocol blocking policies that are identified by the network address block list 202 and the remote and local protocol block lists 204 and 206 for all of the protected host computers in the subnet 102-1." (Col. 15, lines 21-26). Furthermore, Jacobson describes allowing a connection if *either* the source *or* destination address in the connection information is in the network address access list. (see col. 18, lines 47-54).

<sup>1</sup> U.S. Patent No. 6,044,402.

<sup>2</sup> Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The present invention, however, includes “determining whether said subscriber is authorized to access said domain based upon said domain identifier and a list of authorized domains for a virtual circuit used to *receive* said communication”. Jacobson's override policy has nothing at all to do with domains, but rather applies only to overriding previous policies. The specification of the present invention clearly indicates determining whether a domain identifier associated with a domain on the *second* communication network is in the list of authorized domain names, dropping the call if a domain identifier is not in the list of authorized domain names, and authorizing access when the domain identifier is in the list of authorized domain names. (see page 19, lines 6-17).

Jacobson does not teach “authorizing subscriber access to said domain on said second communication network when said domain identifier is included in said list”.

Claim 1 as amended includes the element “authorizing subscriber access to said domain on said second communication network when said domain identifier is included in said list”. Jacobson, however, fails to teach or suggest this element. Jacobson does not teach authorizing the subscriber to access the domain on the second communication network when the domain identifier is included in the list. As mentioned above, Jacobson describes allowing a connection if *either* the source *or* destination address in the connection information is in the network address access list. (see col. 18, lines 47-54).

For these reasons, the Applicants respectfully maintain that claim 1 is now in condition for allowance. Claims 14 and 27 contain similar limitations as claim 1, and hence the Applicants respectfully maintain that these claims are also in condition for allowance. As to dependent

claims 2-13, 15-26, and 28-39, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

### The 35 U.S.C. § 103 Rejection

Claims 3-5, 9-11, 16-18, 22-24, 29-31, 35-37 and 40-51 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Jacobson in view of Loehndorf, Jr. et al.,<sup>3</sup> among which claims 40 and 46 are independent claims. This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.<sup>4</sup>

Claims 3-5 and 9-11 depend from claim 1 and thus include the limitations of claim 1. The arguments made above with respect to claim 1 apply here as well. The 35 U.S.C. § 102 rejection of claim 1 based on Jacobson et al. is unsupported by the art, as each and every element as set forth in claim 1 is not found in Jacobson et al. Therefore, the 35 U.S.C. § 103 rejection of dependent claims 3-5 and 9-11 based on Jacobson et al. in view of Loehndorf, Jr. et al. is also unsupported by the art. Thus, no *prima facie* case of obviousness has been established and the 35 U.S.C. § 103 rejection should be withdrawn.

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<sup>3</sup> U.S. Patent No. 6,094,437.

<sup>4</sup> M.P.E.P. § 2143.

Claims 16-18 and 22-24

Claims 16-18 and 22-24 are program storage device claims corresponding to method claims 3-5 and 9-11, respectively. Claims 3-5 and 9-11 being allowable, claims 16-18 and 22-24 must be allowable for at least the same reasons.

Claims 29-31 and 35-37

Claims 29-31 and 35-37 are means-plus-function claims corresponding to method claims 3-5 and 9-11, respectively. Claims 3-5 and 9-11 being allowable, claims 29-31 and 35-37 must be allowable for at least the same reasons.

Claims 40-51

Claims 40-51 are access server claims including limitations similar to method claims 3-5 and 9-11. Claims 3-5 and 9-11 being allowable, claims 40-51 must also be allowable for at least the same reasons.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Allowable Subject Matter

The Examiner is thanked for the kind allowance of claims 52-71, and in finding allowable subject matter in claims 6-8, 12-13, 19-21, 25-26, 32-34, and 38-39 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Allowed claims 57-59, 60-61, 62-64, 65-66, 67-69, and 70-71 represent claims 6-8, 12-13, 19-21, 25-26, 32-34, and 38-39, respectively, written in independent form including all of the limitations of the base claim and any intervening claims. The Applicants acknowledge the Examiner's statement of reasons for allowance as set forth in the Office Action. However, the Applicants point out that the reasons for allowability of the above referenced claims are not limited to the reasons for allowance as set forth in the Office Action, and that additional reasons for allowability may exist, each of which may be independently sufficient to establish the patentability of one or more pending claims.

The Applicants respectfully reserve the right to introduce, articulate, or otherwise comment on any such additional reasons for allowance as may be appropriate in any future proceedings concerning the claimed invention.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

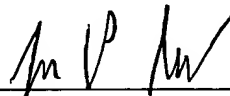
The Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP

Dated: August 2, 2005

  
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John P. Schaub  
Reg. No. 42,125

Thelen Reid & Priest LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
Tel. (408) 292-5800  
Fax. (408) 287-8040